

Palmer, F. H.

Insect-eating birds.

(1874)

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1874

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INSECT-EATING BIRDS.

THE FARMER'S BEST FRIENDS.

A PRIZE ESSAY.

BY FRANK H. PALMER.

[This essay received the first prize offered by the Massachusetts Society for the Prevention of Cruelty to Animals at the New-England Agricultural Fair in 1872.]



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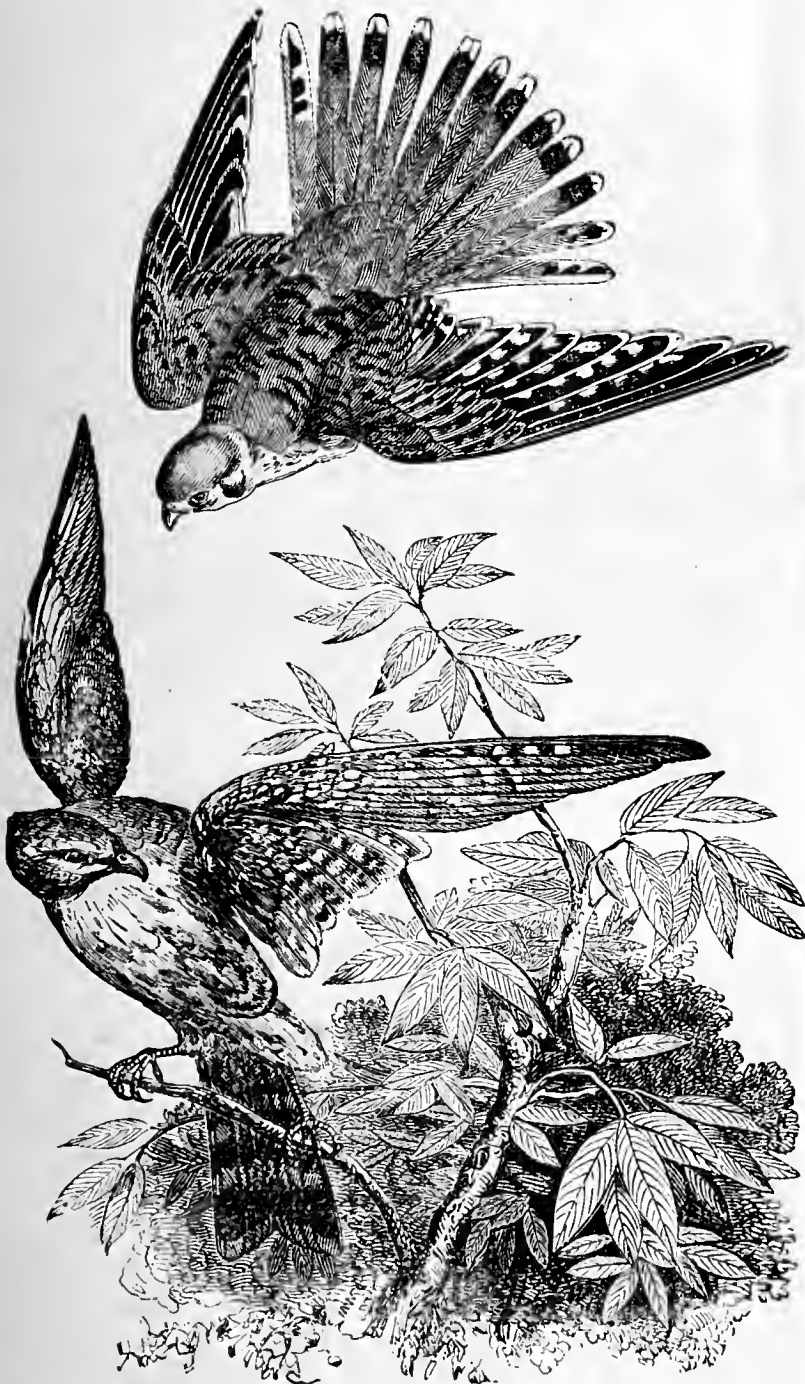
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INSECT-EATING BIRDS.

THE practical utility of our native birds as agents for the destruction of noxious insects can hardly be overestimated. By studying the habits of birds and insects, we may easily discover the important part which each plays in the economy of nature; and his-

establishes a wholesome balance amongst her creatures; that is, she produces no more of one species than shall be kept in check by another. If there is an insect which feeds upon a certain plant, there is also a bird which destroys the insect, and an animal which devours the bird; and so on up the scale, each curbing the undue increase of the next inferior creature. It is when man interferes with the working of this law that results are sure to follow disastrous alike to his own food, health, and happiness, and that of the creatures around him. It is because he has destroyed their natural enemies that insects have



Sparrow-hawk. *Tinnunculus Sparverius*. (Raptores.)

tory itself proves that any material interference with their relations to each other is sure to be followed by disastrous results. Hence the subject becomes of deepest importance, not alone to the agriculturist, but to every one who has either a business or patriotic interest in our country. Nature, if left to herself,

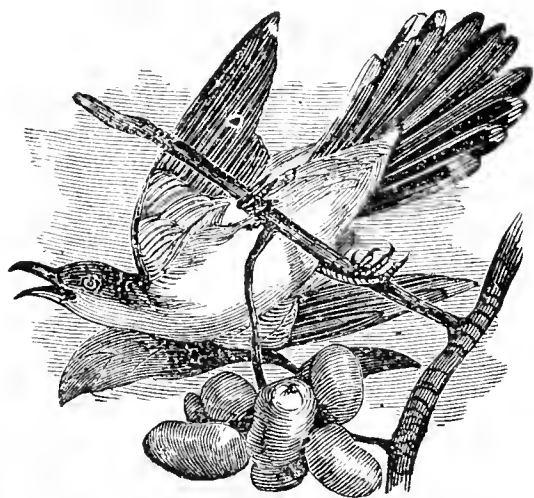


Hawk-owl. *Surnia ulula*. (Raptores.)

become a pest; and they will cease to trouble him only in proportion as he shall restore the balance of which Nature shows the necessity. It is not that insects are to be destroyed or condemned as a class. Nothing is created except for the fulfilment of some good end; and the value of insects is not inferior to that of any other class of animal life: none are without their legitimate uses; and it is only when they are stimulated to excessive increase that they become troublesome. Before passing judgment upon them, we must remember that insects fabricate the beautiful coral which is so useful and valuable to man. Of similar origin, too, is silk, which, in its manufacture, furnishes profitable employment to multitudes of men, women, and children, and brings in large revenues to the country. Insects we must thank for honey, — the sweetest of sweets. The air we breathe and the water we drink are kept pure and wholesome by the agency of myriads of little creatures which draw sustenance from the impurities of the elements. It is not, then, that insects are to be exterminated, even if it were possible, but only kept in check.

RELATIVE FERTILITY OF BIRDS AND INSECTS.

The majority of our native birds have but one brood of young in the course of the year: a few have two or three. In the case of the smaller insect-eating birds, the number of eggs to a brood is, on an average, not more than five. Some of the larger birds, as the various Gallinæ, lay from five or six to twenty eggs to a brood. On the other hand, the reproductive energy of insects is truly marvellous. It is said that a single pair of grain-weevils have produced six thousand young between April and August. The common varieties of aphides or plant-lice, which are found on almost all kinds of plants, are produced in spring from eggs laid the season before; and through the summer only females are developed. At the last of the season, males and females both appear; and eggs are laid for the brood which hatches early in the spring. Reaumer says that one individual in

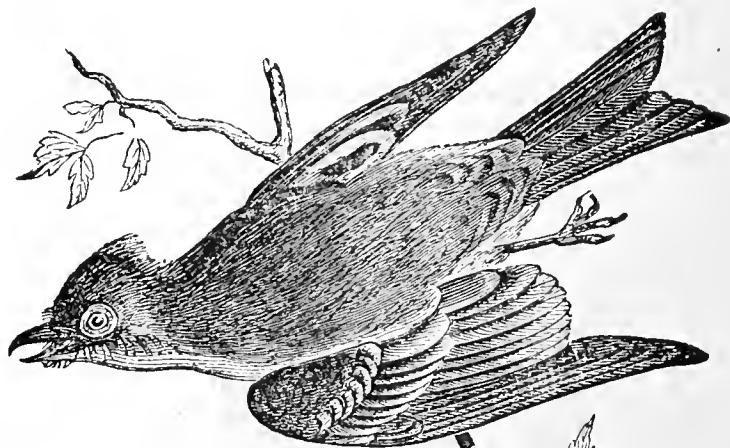
Black-billed Cuckoo. *C. erythrophthalmus*. (Scansores.)

one season may become the progenitor of six thousand millions. The silk-worm moth produces about five hundred eggs; the great goat-moth about one thousand; the tiger-moth one thousand six hundred; the female wasp at least thirty thousand. There is a species of white ants, one of which deposits not less than sixty eggs a minute, giving three thousand six hundred in an hour. How, then, shall this enormous mass of insects be kept in check? What shall prevent them from overrunning the country, destroying the crops, and devastating the land?

FOOD OF BIRDS.

Various causes operate to check the undue increase of insects; and the chief of these is the appetite and instinct which a wise Providence has given to birds. If the number of eggs produced by insects is wonderful, the number destroyed by a single bird is no less so. Audubon says a woodcock will eat its own weight of insects in a single night. Dr. Bradley says that a pair of sparrows will destroy three thousand three hundred and sixty caterpillars in a week. We saw the parent bird visit a young purple martin on a church-spire opposite our window five times in as many minutes, each time with an insect. A brood of partridges will nearly exterminate the denizens of an ant-hill in a couple of days. Woodpeckers are constantly employed in ridding the orchards of insects and their eggs, which they skill-

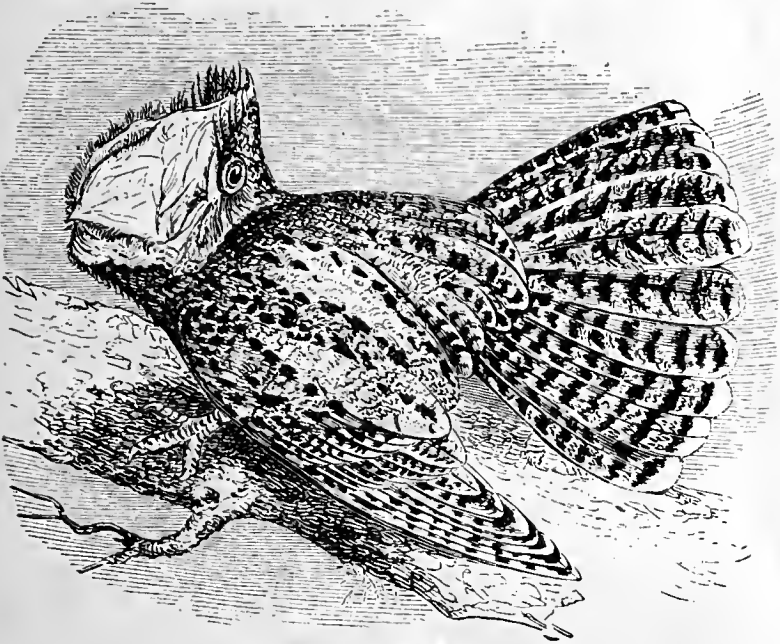
fully discover under the pieces of dead bark. Robins, through the spring and summer, are continually hunting for worms and grubs which they find concealed under the surface of the ground. We recently noticed a common chipping-sparrow capture a moth; and, upon depriving her of it, we found it to be that of the common apple-tree caterpillar (*Clisiocampa Americana*), so destructive to the orchards of New England. To check the excessive increase of

Upper fig. Wood-Pewee. *Contopus virens*. Lower fig. King-bird. *T. carolinensis*. (Insessores.)

insects is evidently the great task which birds are intended to perform. Did they have no other office save to cheer and encourage humanity with their beautiful plumage and song, and to typify a purer and more ethereal existence to us creatures who "grovel here below," even then they would deserve the favor of every Christian and every poet; but when the useful is combined with the beautiful, and a practical value is added to an elevating symbol, they command the interest of every one, and their protection becomes a matter of consequence to all.

DECREASE IN NUMBER OF BIRDS.

It is a mournful fact of history, that during the past few years there has been a steady decrease in the number of our native birds in all parts of the country where man has formed his settlements. To account for this fact is easy. Man enters the forests which for hundreds of years have been the undisturbed nursery of birds. He cuts down the trees in



Chuck-will's Widow.

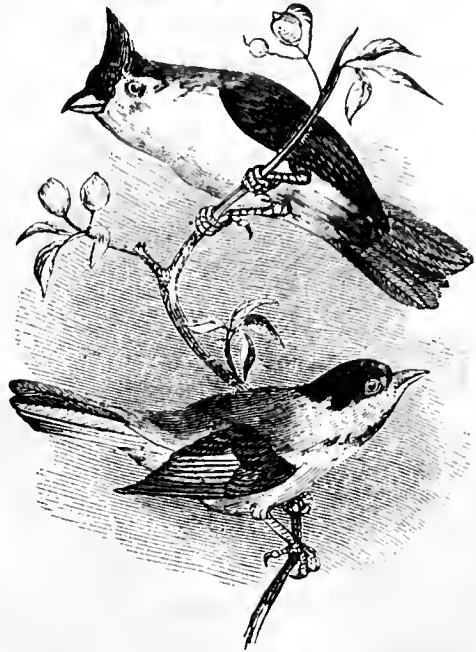
which for centuries they have reared their young. He brings with him his gun; and, as long as there are any grouse or other game-birds in the neighborhood, the sharp report and murderous fire are his daily greeting to the wild creatures of the wood. He dams the streams, and turns them aside, and uses their power to destroy the forests on their banks. His snares are set in the valleys, and his traps on the hill-



Woodpeckers.

top. His children search the woods for birds'-eggs and bring them home to be admired a moment as playthings, without a thought of the happy homes they have destroyed for the sake of a moment's pleasure. In short, man has soon taught the creatures, who scarcely feared him at first, that he is a monster to be dreaded, who will give them no rest nor peace.

Thus it happens, that, as the centuries roll on, one species after another grows more and more scarce, or becomes altogether extinct; and, in their loss, the world loses more than at the death of the last representative of a long line of imperial princes. Let us notice from history a few instances of the gradual decrease of some of our birds, that any who are doubt-



Titmice.

ing may be convinced. Hear what Audubon testifies: "When I first removed to Kentucky, the pinnated grouse were so plenty that they were held in no higher estimation as food than the most common flesh; and no hunter of Kentucky deigned to shoot them. In those days, during the winter, the grouse would enter the farm-yard, and feed with the poultry,



Upper fig. Yellow Warbler. Lower fig. Black and Yellow Warbler.

alight on the houses, or walk in the very streets of the villages. I recollect having caught some in a stable at Henderson where they had followed some wild turkeys. In the course of the same winter, a friend of mine who was fond of practising rifle-shooting, killed upwards of forty in one morning, but

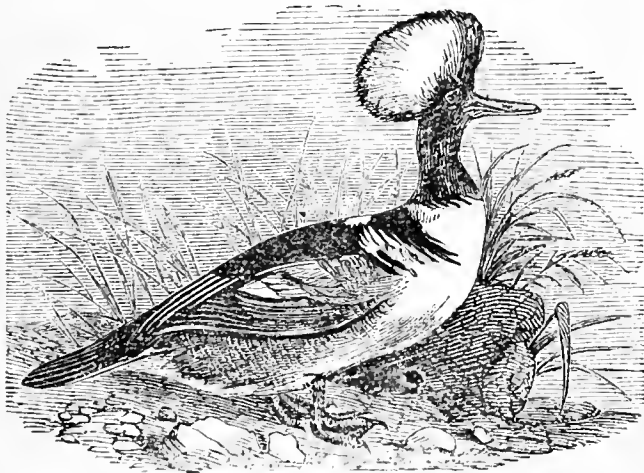
picked up none of them, so satiated with grouse was he as well as every member of his family. My own servants preferred the fattest fitch of bacon to their flesh, and not unfrequently laid them aside as unfit for food." Twenty-five years after, the same author says, "Such an account may appear strange; but in that same country where, twenty-five years ago, they could not have been sold for more than one cent a-piece, scarcely one is now to be found. The grouse have abandoned the State of Kentucky, and removed



Yellow-rumped Warbler. *Dendroica coronata*.

(like the Indian) every season farther to the westward to escape from the murderous white man." The bird above mentioned was once probably very abundant in all the southern New England States, but is now only found in small numbers on Martha's Vineyard and one or two other islands off the southern coast of Massachusetts, being entirely extinct on the main land of New England.

Mr. J. A. Allen says,* "The mammalian and bird faunæ of all the older settled parts of the United States are vastly different from what they were two hundred years ago. These changes consist mainly in the great decrease in number of all the larger species, not a few of which are already extirpated where they were formerly common. A few of the smaller species of both classes have doubtless increased in numbers. Many of our water-fowl that are now only transient visitors, — as the Canada

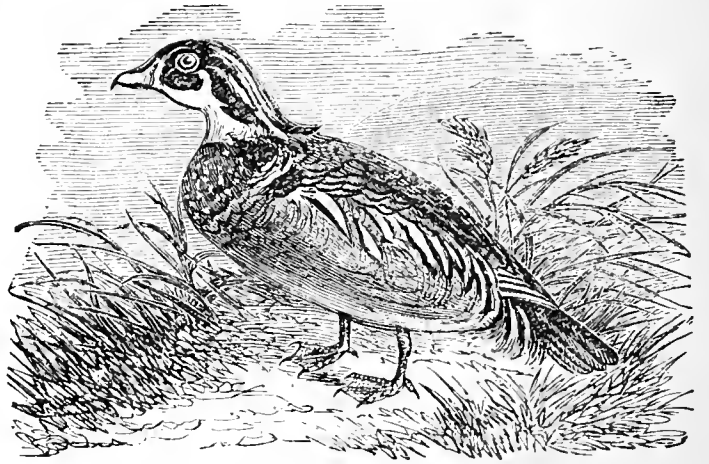


Hooded Merganser. *Lophortyx cucullatus*.

goose, the several species of Merganser, teals, black duck, and mallard, — undoubtedly once bred in this State (Massachusetts), as did also the wild turkey and prairie hen." An old farmer of Essex County recently told us that fifteen years ago the passenger-

* "American Naturalist," Vol. III., No. 10.

pigeon was accustomed to breed in considerable numbers in a forest not far from his house. Now a few pairs may be seen in the spring and fall migrations; but none in the summer. In the same county, ten years ago, the ruffed grouse was quite abundant; but now it is rare that any are seen except in the deepest woods, and then only an occasional pair, most of them having been snared, and sent to the Boston market, laws to the contrary notwithstanding. Formerly some six or seven species of sea-ducks bred among the islands of Massachusetts; now none are to be found except the dusky-duck, and that in no great abundance.



Wood, or Summer-duck. *Aix sponsa*.

INCREASE OF INSECTS.

As a result of the decrease in the number of birds, we find that insects have been steadily increasing; and the aggregate loss through their agency is now much greater than in former years. Since 1860, the damage done each year by such insects as the canker-worm, currant-worm, wheat-midge, Hessian-fly, &c., has been greater and greater; so that, in some sections, the cultivation of particular crops has been almost abandoned. New species of noxious insects are constantly being discovered by entomologists and others; while many species before unknown in this country have been introduced by the importation of plants, &c., from Europe. Insects that are abundant in the West are gradually working eastward, as the Colorado potato-beetle; and only earnest study and effort will prevent the continued increase of these pests of the land.

There are about thirty species of insects which subsist on our garden vegetables. The grape-vine has about fifty insect enemies; the apple-tree seventy-five; our different shade-trees some over a hundred; wheat and other grains fifty. The crop of wheat in the State of Illinois was injured by insects, in one year, to the estimated amount of seventy-three millions of dollars. The estimated annual destruction of property by insects in the United States is as high as four hundred million dollars. The effect of this loss is felt not alone by the farmer. It is to this, in a large measure, that many poor men owe their poverty; to this must be attributed the high price of farm-produce and all healthy food, and the consequent increase of disease and want in our large cities. We do not hesitate to say that at least one-eighth of this loss by insects might be prevented by the careful protection and encouragement of birds;

or, to put it in another way, the carelessness of the people in the United States in this respect costs them at least fifty million dollars yearly, besides much unhappiness and suffering.



White-winged Crossbill. *Curvirostra leucoptera*.

TABULAR VIEW OF FOOD OF BIRDS.

We must conclude, then, after careful examination of the habits of birds and insects, that birds are of the greatest service to man; and that they should be protected and encouraged in every possible way. Nevertheless, it is undeniable that this rule has some exceptions; that there are some birds which are far from beneficial, being, on the contrary, very injurious, not only to the interest of man, but also to the well-disposed members of their own race. In short, there are robbers and cut-throats among birds as well as amongst men; and it is just as sensible to pronounce the human race good for nothing because of the depravity of a portion of its members as to say that birds are useless because a few species are inclined to wrong-doing. The following table will give an idea of the food of the more common birds of Massachusetts, and will serve as a ready means of distinguishing the injurious from the beneficial species:—

FAMILY.	ORDER — <i>Raptores</i> (Robbers).
<i>Falconidae</i> , Hawks.....	Subsist on small birds and animals, and poultry.
<i>Strigidae</i> , Owls.....	Mice, reptiles, insects, and a few small birds.
	ORDER — <i>Scansores</i> (Climbers).
<i>Cuculidae</i> , Cuckoos.....	Caterpillars and other tree-insects, and a few eggs of other birds.
<i>Picidae</i> , Woodpeckers.....	Insects (a very beneficial family).
	ORDER — <i>Insectores</i> (Perchers).
<i>Troglodytidae</i> , Humming-birds.....	Insects.
<i>Cypselidae</i> , Swifts.....	All kinds of winged insects.
<i>Caprimulgidae</i> , Whippoorwills and Night-hawks.....	Night-flying Lepidoptera (very beneficial).
<i>Alcedinidae</i> , Kingfishers.....	Fish.
<i>Colaptesidae</i> , Flycatchers.....	Flies and other winged insects.
<i>Turdidae</i> , Thrushes.....	Insects and a few small fruits and berries.
<i>Saxicolidae</i> , Bluebirds.....	Insects.
<i>Sylviidae</i> , Wood-inhabiters.....	Insects.

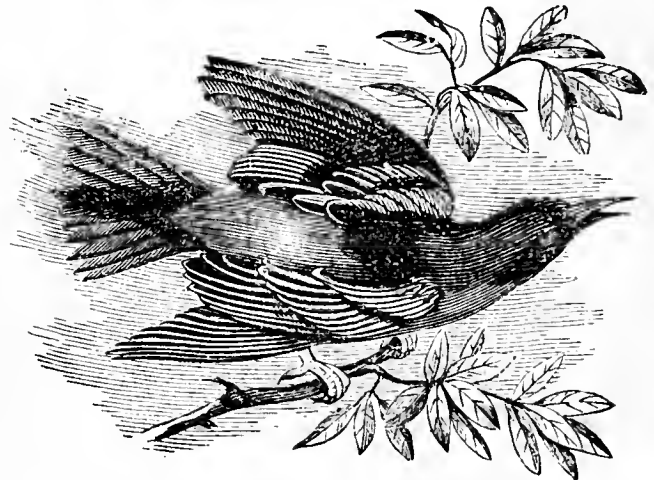
<i>Paridae</i> , Titmice and Nut-hatchers.....	Insects and their eggs.
<i>Certhiidae</i> , Creepers.....	Insects.
<i>Troglodytidae</i> , Wrens.....	Insects.
<i>Sylviidae</i> , Warblers.....	Insects and the seeds of weeds and grasses.
<i>Hirundinidae</i> , Swallows.....	All kinds of winged insects.
<i>Bombycillidae</i> , Chatterers.....	Various insects and cherries.
<i>Laniidae</i> , Vireos and Butcher-birds.....	Insects and small birds respectively.
<i>Fringillidae</i> , Seed-eaters.....	Various seeds, fruits, and some insects.
<i>Icteridae</i> , Starlings, Orioles and Blackbirds.....	Grains, and other seeds, various tree insects.
<i>Corvidae</i> , Crows and Jays.....	Eggs and young of small birds, a few insects, corn and other grain.

ORDER — *Rasores* (Scratchers).

<i>Columbidae</i> , Doves.....	Berries, nuts, and seeds.
<i>Tetraonidae</i> , Grouse.....	Various seeds, insects, and berries.
<i>Perdidae</i> , Partridges.....	Seeds, berries, and a few insects.

ORDER — *Grallatores* (Waders).

<i>Ardeidae</i> , Herons.....	Fish, frogs, mice, and insects.
<i>Charadriidae</i> , Plovers.....	Aquatic insects.
<i>Scelopacidae</i> , Snipes.....	Worms, larvae of insects, and grasshoppers.
<i>Paludicolae</i> , Rails.....	Various insects and water-worms.



Baltimore Oriole. *Icterus Baltimore*.

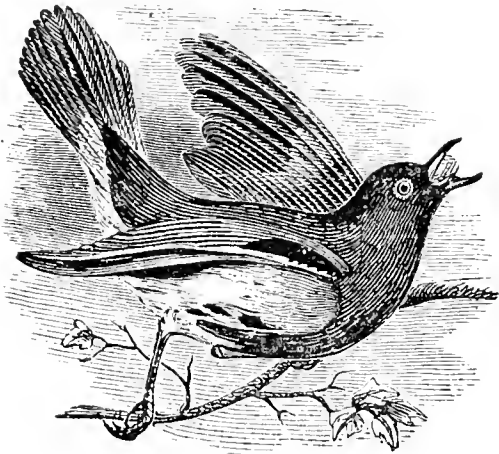
ORDER — *Natatores* (Swimmers).

<i>Anatidae</i> , Ducks.....	Small shell-fish and other aquatic animals.
<i>Laridae</i> , Gulls.....	Fish and various animals washed up by the sea.

CROWS AND ROBINS.

We must say a word in regard to those two birds which have occasioned so much debate among farmers and others,—the crow and the robin. At one time the agricultural papers were continually saying something for or against these birds; and, although not so much is heard on the subject now, yet the question has not been settled to the satisfaction of all. From our own observation, we are compelled to believe that the crow is a very injurious bird, but the robin an equally beneficial one. The crow is acknowledged, even by his friends, to pull up a good deal of corn; but it is urged that he destroys enough insects and grubs to compensate for this injury. Granting this, it leaves him neutral, doing as much good as harm; but this leaves unnoticed the fact that he destroys a great number of eggs and young of small birds which, if permitted to live, would have destroyed vastly more insects than the crow. The robin is

blamed for eating cherries and other small fruits. This charge is doubtless just; but we must remember that it is not more than two months that he is injurious in this way, while during the other four months of his stay with us he must be regarded as beneficial.



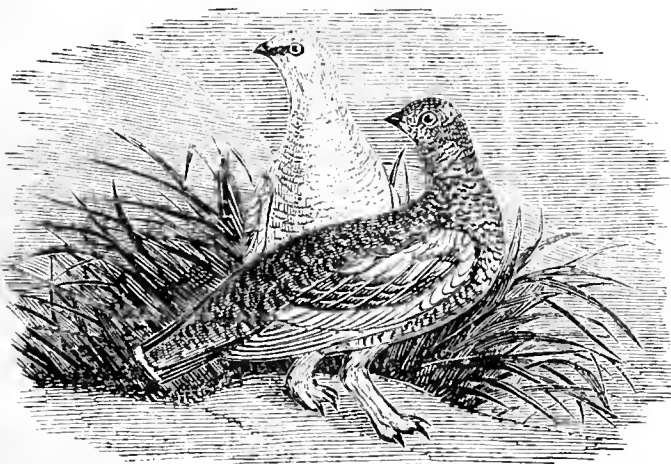
Redstart. *Setophaga ruticilla*.

HOW TO PROTECT BIRDS.

Of the measures for the protection of birds, perhaps the most important is the bird-law of Massachusetts, (Acts of 1870, Chap. 304.) which punishes by fine whoever takes or kills, sells, buys, or has in his possession, the birds named below.

Woodcock are protected between the 1st day of January and the 15th day of August; ruffed grouse (commonly called partridges), between the 12th day of January and the 1st day of October; quails between the 15th of December and 15th of October. Forfeits, twenty-five dollars for each bird above-named killed or sold out of season.

Pinnated grouse are protected till June 1, 1876; wood or summer ducks, black ducks, and teals protected between 1st of March and 1st of September.



Ptarmigans.

Forfeits, twenty-five dollars for each bird killed or sold out of season.

Marsh and beach birds are protected between April 1st and July 15th; exceptions, snipe and plover. Forfeits, ten dollars for each bird.

All other birds, their nests and eggs (except crow, black-birds, crows, herons, bitterns, Canada geese, and water-fowl not previously mentioned), are protected through the year. Forfeit, ten dollars for each offense.

The State constabulary, mayor and aldermen and selectmen of the several cities and towns of this Com-

monwealth shall cause the provisions of this law to be enforced in their respective places; and all forfeitures accruing under these sections shall be paid, one half to the informant or prosecutor, and one half to the city or town where the offence is committed.

In itself, perhaps, no fault can be found with this law. It is only because it is not properly executed that it falls short of accomplishing its object. In the neighborhood of the large cities, it doubtless prevents some injury to birds: but in the small country towns we think it is very rarely that an arrest is made; and the selectmen are quite apt to look the other way to save the trouble of interfering with a neighbor or townsman. We have repeatedly seen strings of ruffed grouse, containing some dozens, which had been taken in abominable snares, being sent in to the Boston market from the small towns of Massachusetts. We believe it is still a common practice with many boys to make collections of birds' eggs, and to take not one egg only, but the whole nest, eggs and all, and shoot the parent birds, too, if possible. It is difficult to say how such things may best be prevented; but much good would be done, we are confident, if the selectmen would take the trouble to hunt up and punish a few cases which should serve as an example to others. Parents and teachers also may do much by way of precept and example, and right-minded boys may do their part by influencing their companions to abandon so cruel a practice.

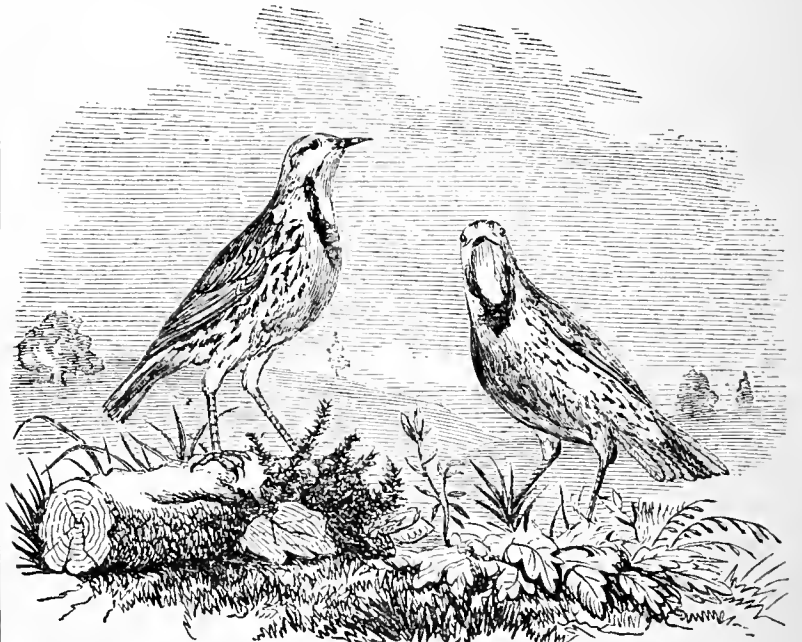
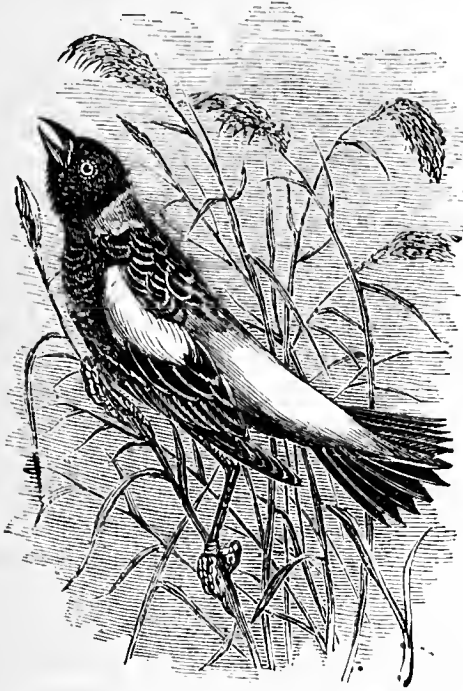


Fig. 18. — Meadow-lark. *Sturnella magna*.

BIRD-HOUSES.

Next to the law, the most important measure for the protection of birds is the putting up of accommodations for them, and thus inducing them to settle on our estates. There is no reason why every one who has a half-acre of land should not have two or three pairs of birds nesting thereon. Perhaps many do not realize what simple accommodations swallows, bluebirds, wrens, and other birds, are eager to avail themselves of. Simple and inexpensive arrangements are just as satisfactory to them as the most elegant and costly ornamental houses; and no one need be prevented by the fear of expense from furnishing dwelling-places, rent free, to these interesting

tenants. With a few simple tools and a box or two which any grocer will give you, a bird-house may be made of almost any size or shape desired. Should you wish it highly ornamental, nothing is better than

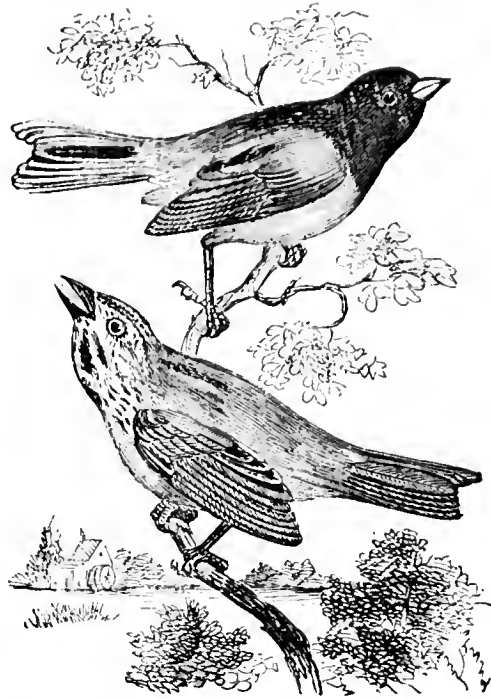


Bobolink. *Dolichonyx oryzivorus*.

to cover is with rustic-work, which may be done with the aid of a wild grape-vine cut in pieces of the right length and nailed on. Such a bird-house costs little or nothing save the time required to make it; and this slight expense will be amply repaid by the satisfaction of doing a good deed.

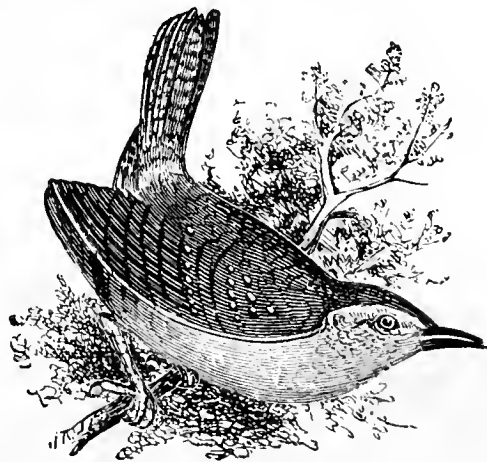
There are many simple contrivances which may be prepared and put up in five minutes, and will serve the birds as well as any thing else. At the opening of the present season we put up four tin cans, such as are used for canning tomatoes, having first filed a small hole in the lower end to prevent the collection of water. Three of the four were immediately occupied by bluebirds. One pair laid five eggs, four of which hatched, and the young grew to maturity. The other two pairs each had two broods, four eggs to each brood, and all hatched; but three of the young died before growing up. Seventeen young bluebirds and their parents, six in number, twenty-three insect-eating birds, were thus induced to make their home in our orchard, the parent birds for about five months, and the young, say about three months. Certainly, at a very low estimate, each bird would average twenty insects a day; for the food of these birds consists entirely of insects. At this rate the old birds would have destroyed during their stay here, eighteen thousand insects, and the young thirty thousand six hundred, which gives a total of forty-eight thousand six hundred insects destroyed from our own and our neighbors' trees; and it did not take us half an hour to prepare and put up these simple accommodations. Are not these facts eloquent? Then how interesting to watch the housekeeping arrangements of these beautiful little neighbors; to hear their welcome song when winter seemed still with us; to hear them debate the situation, and finally decide in favor of our apple-tree; to see them carrying up grasses and cot-

ton and feathers, and weaving them together into a bed of down for the protection of their early-laid eggs; to watch their love-making, and all their gentle, affectionate ways towards each other; their jealousy of intruders, and their solicitous care of their



Upper fig. Snow-bird. *Junco hyemalis*. Lower fig. Song-sparrow. *Melospiza melodia*.

eggs during the period of incubation; their final joy when the young break the shells, and are born to the light; and their untiring devotion in obtaining choice bits of insect-food for the nourishment of their offspring. Truly here is beauty at our door-yard, and poetry has taken up her abode in our apple-tree.



House-wren. *T. adon*.

Purple martins and other members of the swallow tribe will readily occupy boxes put up for their use. Wrens, too, are interesting friends, and are easily induced to settle with us. We know of a case where a pair of bluebirds found a happy home in an old beaver hat which had blown up and lodged in an apple-tree. A good bird-house may be made of a medium-sized flower-pot, with the hole somewhat enlarged, and the top covered with a board. Will not every one who has a dozen rods of land make a bird-house of some kind, and thus help restore the proper proportions of the feathered and insect races?

THE THIRTY-NINE ARTICLES OF FAITH OF THE SOCIETY.

We believe it to be our duty —

TO STOP

1. The beating of animals.
2. Overloading.
3. Overdriving.
4. Underfeeding.
5. Driving galled and disabled animals.
6. Tying calves' and sheep's legs.
7. Cruelties on railroad stock-trains.
8. Overloading horse-cars.
9. Neglect of shelter for animals.
10. Plucking live fowls.
11. Dog-fights.
12. Vivisection without anæsthetics.
13. The use of tight check-reins.
14. Bleeding calves.
15. Clipping dogs' ears and tails.
16. Bagging cows.

TO INTRODUCE

17. Better roads and pavements.
18. Better methods of slaughtering.
19. Better methods of horse-shoeing.
20. Improved cattle-cars.
21. Drinking fountains.

22. Better laws in every State.
23. Our paper, "Our Dumb Animals," into sabbath schools and among children.

TO INDUCE

24. Children to be humane.
25. Teachers to teach kindness to animals.
26. Clergymen to preach it.
27. Authors to write it.
28. Editors to keep it before the people.
29. Drivers and trainers of horses to try kindness.
30. Owners of animals to feed regularly.
31. Men and boys to protect birds and birds' nests.
32. Owners to take better care of stock.
33. Every one not to sell old family horses when worn out or disabled.
34. All persons to report to us or our agents all cases of cruelty.
35. People everywhere to form societies.
36. Men to give money to forward the cause.
37. Ladies to interest themselves in the work.
38. People to appreciate the intelligence and virtues of animals.
39. And, generally, to make men, women, and children better, because more humane.

ONE YEAR'S WORK.

Work of the Massachusetts Society for the Prevention of Cruelty to Animals, for the year ending March 25, 1873.

The Society published

12,000 copies of Mr. Angell's essay on Stock Transportation.

30,000 essays on the Check-Rein.

50,000 small pamphlets, distributed at the "Jubilee" and at Agricultural Fairs.

130,000 copies of its paper "Our Dumb Animals."

6,000 copies of the Statute on Cruelty to Animals.

Several hundred circulars on robbing birds' nests, shooting-matches, and to butchers and drovers in regard to shelter for cattle.

It sent

1,000 copies of an essay on Horse-Shoeing to the blacksmiths of the State.

Placed bound copies of "Our Dumb Animals" in leading Hotels and Steamboats.

Issued circulars to the Steam Railroads in the United States on the evils of Stock Transportation.

Distributed two hundred prizes to scholars in forty Boston schools, for compositions on "Kindness to Animals;" also prizes at the New England Agricultural Fair, for various improvements to lessen the suffering of animals, and for essays on slaughtering, and insect-eating birds, and offered additional prizes to the schools throughout the State.

An agent was employed to travel over the railroads in New England, and west to Chicago, investigating stock transportation and slaughtering.

An "Animals' Home" was established at Boston Highlands.

Check-Rein Signs were erected at the foot of steep hills.

Drinking-Troughs were located at several points.

Hundreds of old and disabled horses were killed, hundreds of others withdrawn from work, and other hundreds provided with better shelter, by our direction.

About three hundred persons were prosecuted for cruelty to animals, and more than two thousand cases were investigated.

Police-stations in Boston and other cities were provided with hammers and hoods for killing horses.

Several other States were induced, by correspondence, and the distribution of documents, to pass laws and form societies.

A National Law was secured in Congress, to prevent cruelties in the transportation of cattle, and an effort was made to prevent, by statute, the overloading of horse-cars.

OFFICE OF THE SOCIETY,

46 Washington Street, Boston.

EXTRACTS FROM THE STATUTES.

ACTS OF 1869. CHAPTER CCCXLIV.

SECT. 1. Whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates, or cruelly kills, or causes, or procures, to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten, mutilated, or cruelly killed, any animal; and whoever, having the charge or custody of any animal, either as owner or otherwise, inflicts unnecessary cruelty upon the same, or unnecessarily fails to provide the same with proper food, drink, shelter, or protection from the weather, shall, for every such offence, be punished by imprisonment in jail, not exceeding one year, or by fine, not exceeding two hundred and fifty dollars, or by both such fine and imprisonment.

SECT. 2. Every owner, possessor, or person having the charge or custody of any animal, who cruelly drives or works the same when unfit for labor, or cruelly abandons the same, or who carries the same, or causes the same to be carried, in or upon any vehicle, or otherwise, in an unnecessarily cruel or inhuman manner, or knowingly and wilfully authorizes or permits the same to be subjected to unnecessary torture, suffering, or cruelty of any kind, shall be punished for every such offence in the manner provided in section 1.

SECT. 4. Any person found violating the laws in relation to cruelty to animals, may be arrested, and held without warrant, in the same manner as in case of persons found breaking the peace.

SECT. 7. It shall be the duty of all sheriffs, deputy-sheriffs, deputy State constables, constables and police-officers, to prosecute all violations of the provisions of this act which shall come to their notice or knowledge.

SECT. 8. The several municipal and police courts and trial justices in this Commonwealth shall have full concurrent jurisdiction with the Superior Court of all offences under this act, and to the full extent of the penalties therein specified.

LAW FOR THE PROTECTION OF BIRDS,

CHAPTER 304, ACTS OF 1870.

See Synopsis, page 8, of this Essay.



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